

General Docket
United States Court of Appeals for the Eleventh Circuit

Court of Appeals Docket #: 25-10862
Nature of Suit: 3370 Other Fraud
 KP Investments Miami, LLC v. Mario Mirabal
Appeal From: Southern District of Florida
Fee Status: Fee Paid

Docketed: 03/14/2025
Termed: 05/13/2025

Case Type Information:

- 1) Private Civil
- 2) Federal Question
- 3) -

Originating Court Information:

District: 113C-1 : [1:25-cv-20747-JEM](#)
Civil Proceeding: Jose E. Martinez, U.S. District Judge
Date Filed: 02/18/2025
Date NOA Filed:
 03/13/2025

Prior Cases:

None

Current Cases:

	Lead	Member	Start	End
Associated	25-10858	25-10862	05/01/2025	
	25-10858	25-11120	05/01/2025	
	25-10858	25-11182	05/01/2025	
	25-10858	25-11183	05/01/2025	
Related	25-10858	25-11254	04/07/2025	
	25-10862	25-11120	03/28/2025	
	25-10862	25-11182	04/11/2025	
	25-10862	25-11752	05/22/2025	

KP INVESTMENTS MIAMI, LLC

Appellee

Plaintiff -

John Cunill
 [NTC Retained]
 The Cunill Law Firm, PA
 1000 BRICKELL AVE STE 1100
 MIAMI, FL 33131

versus

MARIO MIRABAL

Appellant

Defendant -

Mario Mirabal
 Direct: 786-479-6596
 [NTC Pro Se]
 563 W 49TH ST
 MIAMI BEACH, FL 33140

KP INVESTMENTS MIAMI, LLC,

Plaintiff - Appellee,

versus

MARIO MIRABAL,

Defendant - Appellant.

- 03/14/2025 ☐ [1](#) CIVIL APPEAL DOCKETED. Notice of appeal filed by Appellant Mario Mirabal on 03/13/2025. Fee Status: Fee Paid. Awaiting Appellant's Certificate of Interested Persons due on or before 04/07/2025 as to Appellant Mario Mirabal. Awaiting Appellee's Certificate of Interested Persons due on or before 04/15/2025 as to Appellee KP Investments Miami, LLC. [Entered: 03/18/2025 10:02 AM]
19 pg, 844.8 KB
- 03/26/2025 ☐ [2](#) *MOTION to seal filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [2]* [Entered: 03/28/2025 10:51 AM]
- 03/28/2025 ☐ [3](#) Notice that no action will be taken on Motion to seal documents [2] filed by Appellant Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. [Entered: 03/28/2025 10:52 AM]
2 pg, 138.06 KB
- 04/03/2025 ☐ [4](#) Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Appellant Mario Mirabal. [Entered: 04/03/2025 09:28 PM]
4 pg, 479.79 KB
- 04/03/2025 ☐ [5](#) *MOTION to seal filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [5]* [Entered: 04/03/2025 09:30 PM]
- 04/11/2025 ☐ [6](#) TRANSCRIPT ORDER form filed by Party Mario Mirabal. No hearings. [Entered: 04/11/2025 09:00 AM]
1 pg, 38.45 KB
- 04/11/2025 ☐ [7](#) Briefing Notice issued to Appellant Mario Mirabal. The appellant's brief is due on or before 04/23/2025. The appendix is due no later than 7 days from the filing of the appellant's brief. [Entered: 04/11/2025 09:01 AM]
2 pg, 92.04 KB
- 04/16/2025 ☐ [8](#) *Emergency MOTION to expedited ruling without hearing filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [8]* [Entered: 04/22/2025 11:02 AM]
11 pg, 9.32 MB
- 04/21/2025 ☐ [11](#) *Redacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [11]* [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:43 PM]
9 pg, 1.1 MB
- 04/21/2025 ☐ [10](#) Notice of receipt: objection to the ECF requirement as to Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183.. [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:35 PM]
4 pg, 687.24 KB
- 04/21/2025 ☐ [12](#) *Unredacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [12]* [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:47 PM]
2 pg, 58.33 KB
- 04/21/2025 ☐ [13](#) *Unredacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [13]* [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 10:23 AM]
20 pg, 521 KB
- 04/21/2025 ☐ [14](#) *Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [14]* [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]
21 pg, 1.3 MB
- 04/25/2025 ☐ [9](#) **ORDER: Appellant's motion to file under seal is DENIED. [5] ALB (See attached order for complete text)** [Entered: 04/25/2025 02:24 PM]
2 pg, 21.75 KB
- 05/13/2025 ☐ [15](#) Opinion issued by court as to Appellant Mario Mirabal. Decision: Dismissed. Opinion type: Non-Published. Opinion method: Per Curiam. Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [14], Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [13]; Motion to seal documents filed by Appellant Mario Mirabal is DENIED as MOOT. [12]; Motion to seal case filed by Appellant Mario Mirabal is DENIED as MOOT. [11]; Motion to expedite ruling on a motion filed by Appellant Mario Mirabal is DENIED as MOOT. [8]. The opinion is also available through the Court's Opinions page at this link <http://www.ca11.uscourts.gov/opinions>. [Entered: 05/13/2025 11:14 AM]
4 pg, 130.13 KB
- 05/13/2025 ☐ [16](#) Judgment entered as to Appellant Mario Mirabal. [Entered: 05/13/2025 11:34 AM]
2 pg, 26.52 KB
- 05/13/2025 ☐ [17](#) *MOTION to take judicial notice filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [17]* [Entered: 05/14/2025 09:39 AM]
59 pg, 31.98 MB
- 05/14/2025 ☐ [18](#) Notice that no action will be taken on Motion to take judicial notice [17] filed by Appellant Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. Additionally, the filing is deficient for failure to comply with this Court's rules for Certificate of Compliance. See FRAP 32(g)(1).. [Entered: 05/14/2025 09:52 AM]
61 pg, 32.12 MB

05/15/2025	☐ 19 81 pg, 3.21 MB	<i>MOTION for Relief from Judgment Under Rule 60(d)(3) filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [19]</i> [Entered: 05/20/2025 09:49 AM]
05/16/2025	☐ 20 17 pg, 1.84 MB	Emergency motion to reconsider and vacate dismissal due to procedural suppression and jurisdictional misrepresentation, construed as a Petition for panel rehearing only; request to delay issuance of the mandate filed by Appellant Mario Mirabal.--[Edited 05/28/2025 by CRL] [Entered: 05/22/2025 02:53 PM]
05/22/2025	☐ 21 21 pg, 3.04 MB	Notice of receipt: Notice of Pending Rule 60(d)(3) Motion and Motion to Recall Mandate as to Appellant Mario Mirabal. NO ACTION WILL BE TAKEN because the mandate hasn't issued yet and the Rule 60(d)(3) motion is still pending. [Entered: 05/30/2025 04:41 PM]
05/27/2025	☐ 22 13 pg, 2.25 MB	<i>MOTION Appellant's Rule 27(d) Motion to correct clerical characterization of emergency motion filed May 16, 2025 filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [22]</i> [Entered: 06/09/2025 03:42 PM]
05/29/2025	☐ 23 12 pg, 3.29 MB	<i>MOTION to take Supplemental judicial notice of KP investnebts' litigation and advancement and summary judgment request in State Court despite federal appeals rescission notices, and pending rule 60(d)(3) findings filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [23]</i> --[Edited 06/10/2025 by CRL] [Entered: 06/10/2025 03:45 PM]
05/29/2025	☐ 24 11 pg, 2.69 MB	<i>MOTION to take supplemenal judicial notice regarding Deutsche Bank and KP Investments' refusal to rescind title claims and litigation positions after federal offramp and while federal appeals remain pending filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [24]</i> [Entered: 06/10/2025 03:55 PM]
06/02/2025	☐ 27 37 pg, 3.48 MB	<i>Emergency Rule 27 Motion to Stay State Court Proceedings, Enforce the Supremacy Clause of the U.S. Constitution (Article VI, Clause), and Enforcement of Void Title Pending Federal Appelasa and Rule 60(d)(3) Fraud Review. filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [27]</i> [Entered: 06/11/2025 08:49 AM]
06/05/2025	☐ 26 24 pg, 3.09 MB	<i>Emergency MOTION for En Banc Review to Preserve Jurisdiction, Correct Clerk-Level Suppression, and Resolve Inconsistent Treatment of Fraud-on-the-Court Filings filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [26]</i> [Entered: 06/11/2025 08:09 AM]
06/11/2025	☐ 25 25 pg, 6.12 MB	Notice that no action will be taken on Motion to take Supplemental judicial notice of KP investnebts' litigation and advancement and summary judgment request in State Court despite federal appeals rescission notices, and pending rule 60(d)(3) findings [24] , Motion to take supplemenal judicial notice regarding Deutsche Bank and KP Investments' refusal to rescind title claims and litigation positions after federal offramp and while federal appeals remain pending [23] filed by Appellant Mario Mirabal. Reason(s) no action being taken on filing(s): The filings are deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. <u>See</u> 11th Cir. R. 26.1-1. [Entered: 06/11/2025 07:58 AM]
06/13/2025	☐ 28 74 pg, 3.91 MB	<i>MOTION En Banc Addendum filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [28]</i> [Entered: 06/18/2025 07:53 AM]
07/02/2025	☐ 29 2 pg, 23.67 KB	ORDER: Appellant's "Motion for Relief from Judgment Under Rule 60(d)(3)..." is DENIED. Appellant's "Rule 27 Motion to Stay State Court Proceedings..." is DENIED. Appellant's "Motion for En Banc Review to Preserve Jurisdiction..." and "En Banc Addendum..." are DENIED. [22] , [28] ; [19] ; [27] ; [26] is DENIED. RSR, BCG and ALB (See attached order for complete text) [Entered: 07/02/2025 12:29 PM]

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